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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,242	10/09/2003	Tetsujiro Kondo	243723US6	6561

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
WONG, ALLEN C	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
05/16/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	**Application No.** 10/681,242	**Applicant(s)** KONDO ET AL.
	Examiner Allen Wong	**Art Unit** 2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *RCE 3/13/08*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *44-51 and 53-73* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *44-51 and 53-73* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/13/08 has been entered.

Response to Arguments

1. Applicant's arguments with respect to claims 44-51 and 53-73 have been considered but are moot in view of the new ground(s) of rejection.

After current amendment to claim 51, the claim objection is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 44, 50, 51, 56-58, 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) in view of Silc (6,738,089).

Regarding claims 44, 50, 51 and 73, Pala discloses an image capturing method for an image capturing apparatus, a computer readable recording medium, a vehicle and an image-capturing device comprising:

image-capturing means installed inside a vehicle at a position to capture an image outside the vehicle through a window (fig.1, element 50 and col.2, ln.57-61); and

direction setting means for setting an image-capturing direction of said image-capturing means in a monitor mode for monitoring a building (col.3, ln.23-26, 29-31 and 38-42, Pala discloses the direction of the capturing direction is controlled to send signals to video switcher 84 for routing the display of image data via setting direction of camera).

Pala does not specifically disclose monitoring a building for security of the building. However, Silc teaches monitoring a building for security of the building (col.6, ln.4-25, Silc discloses the image recording system can be used for building security systems, and that the camera 12 can be installed anywhere on the vehicle, wherein fig.4 shows only one of many examples of the possible placements for the camera 12 to be installed for obtaining images of the wide field of view like monitoring a building to securing the premises). Therefore, it would have been obvious to one ordinary skill in the art to combine the teachings of Silc into Pala's system for conveniently capturing images from many different fields of views, as desired by the user, on a vehicle in an accurate, clear manner for providing adequate security of the building (Silc col.3, ln.55-56). The concept of manipulating and placement of a camera to monitor a building or any other structure is considered obvious to one of ordinary skill in the art since one can manipulate and place the camera at any location, as needed, to monitor any location or site that one desires for security applications.

Regarding claims 56-58, Pala discloses the window is a rear window (fig.1, element 50 and col.2, ln.57-61).

4. Claims 45-47, 59-61 and 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173), Silc (6,738,089) in view of Ozaki (6,025,872) and Mutoh (5,251,211).

Regarding claims 45, 59 and 66, Pala and Silc do not specifically disclose the detection means for detecting an object outside the vehicle through the window of the vehicle. However, Ozaki teaches the object sensor for detecting an object (fig.10, note element 31 detects objects and signals alarm 41 for warning the user and col.17, ln.63 to col.14, ln.4). Therefore, it would have been obvious to one of ordinary skill in the art to take the teachings of Pala, Silc and Ozaki as a whole for permitting the view of the vehicle's rear side so as to allow the driver to cautiously, carefully, and properly maneuver the vehicle without crashing into other objects and people (Ozaki col.8, ln.5-7).

Pala, Silc and Ozaki do not specifically disclose the power control means for prohibiting power supply to said image-capturing means when an object is not detected by said detection means, and for allowing power supply to said image-capturing means when an object is detected by said detection means. However, Mutoh teaches that power supply states changes can be applied to change as to when power can be supplied (col.9, ln.21-27 and col.9, ln.56-col.10, ln.21; Mutoh discloses that power supplies states changes if there are interrupts for needed power demands as to meet power demands of certain electrical devices, thus setting "active" for certain devices and "inactive" for inactive devices). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Pala, Silc, Ozaki and Mutoh, as a whole, for use in properly allocating the power in electrical devices so as to efficiently use electricity without unnecessarily wasting energy.

Regarding claims 46, 60 and 67, Pala discloses the switching of images (fig.1-2, element 78 and 80 can be user activated for switching the image data from rear of vehicle to rear passengers such as distant view 54, rear view 56 or interior view 58; see col.2, ln.57-65 and col.3, ln.23-27). Pala and Silc do not specifically disclose direction control means for controlling the image-capturing direction of said image-capturing means when the vehicle is in a first usage mode, and for controlling the image-capturing direction to be a direction set by said direction setting means when the vehicle is in a second usage mode, and wherein, when said detection means detects a moving object, said direction control means controls the image-capturing direction of said image-capturing means so that the object is traced. However, Ozaki teaches that the monitor or screen is activated when the vehicle is shifted into reverse (col.16, lines 21-41; note that element 21 senses the change of speed in the back gear or when the vehicle is shifted into reverse, and then element 20 will facilitate the automatization of the peripheral monitor control to activate the screen so that the video data obtained from the cameras can be seen by the driver), and Ozaki teaches the object sensor for detecting an object (fig.10, note element 31 detects objects and signals alarm 41 for warning the user and col.17, ln.63 to col.14, ln.4). Therefore, it would have been obvious to one of ordinary skill in the art to take the teachings of Pala, Silc and Ozaki as a whole for permitting the view of the vehicle's rear side so as to allow the driver to cautiously, carefully, and properly maneuver the vehicle without crashing into other objects and people (Ozaki col.8, ln.5-7).

Regarding claims 47, 61 and 68, Pala, Silc and Ozaki do not specifically disclose a battery for supplying power to said image-capturing means, wherein, when the remaining amount of said battery is smaller than a reference value, said power supply control means replaces said battery with a battery of the vehicle to supply power. The use of a power supply like batteries is considered obvious to one of ordinary skill in the art for powering electrical devices so as to properly function for use in applications. However, Mutoh teaches that power supply states changes can be applied to change as to when power can be supplied (col.9, ln.21-27 and col.9, ln.56-col.10, ln.21; Mutoh discloses that power supplies states changes if there are interrupts for needed power demands as to meet power demands of certain electrical devices, thus setting "active" for certain devices and "inactive" for inactive devices). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Pala, Silc, Ozaki and Mutoh, as a whole, for use in properly allocating the power in electrical devices so as to efficiently use electricity without unnecessarily wasting energy.

5. Claims 48, 62 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) and Silc (6,738,089) in view of Peterson (6,037,977).

Regarding claims 48, 62 and 69, Pala discloses the image capturing device further comprising: transmission means for transmitting an image captured by said image-capturing means (fig.1-2, note image is captured by camera 50 is transmitted to other areas like the display 24 and col.3, ln.38-45 and col.4, ln.43-55); and transmission-destination setting means for setting a transmission destination of the image captured by said image-capturing means to a first display device disposed inside the vehicle when the vehicle is in a first usage mode (col.3, ln.36-45, Pala discloses the indication of the gear mode, particularly when the car is in reverse, and in col.4, ln.43-55, the display 24 is inside the vehicle and the display 24 is used for viewing the captured images).

Pala and Silc do not specifically disclose setting the transmission destination to be a second display device disposed outside the vehicle when the vehicle is in a second usage mode. However, Peterson teaches the transmission of video data (col.7, ln.63 to col.8, ln.24 and col.9, ln.14-23, Peterson discloses the transmission of video data over to another location as seen in fig.1 where data captured by cameras 14 and 16 are transmitted to remote antennas 42 and 44, in that element 42 is located at the police station for remotely viewing the data obtained by cameras 14 and 16). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Pala, Silc and Peterson, as a whole, for transmitting data to a remote location so as to conveniently relay video data to a remote location for informing other police officers of the situation and location of the crime scene (Peterson col.3, ln.19-27).

6. Claims 49, 63 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) and Silc (6,738,089) in view of Mutoh (5,251,211).

Regarding claims 49, 63 and 70, Pala discloses determining means for determining whether the vehicle is in a first usage mode (ie. status of transmission gear) in which the vehicle is reversed or in a second usage mode in which the vehicle is not used (col.3, ln.36-38; Pala discloses the indication of the transmission gear mode, particularly when the car is in reverse, thus the mode is in the first mode, if the car is not in reverse, then the vehicle is in the second mode); and transmission means for transmitting an image captured by said image-capturing means (fig.1-2, note image is captured by camera 50 is transmitted to other areas like the display 24 and col.3, ln.38-45 and col.4, ln.43-55). Pala and Silc does not specifically disclose determining means determines whether the vehicle is in the first mode or in the second mode based on the status of an engine key. However, Mutoh teaches that the status of the engine key position is detected to determine the states of usage (col.3, ln.26-29 and col.6, ln.31-45, Mutoh discloses there are differing power supply states based on the engine key position). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Pala, Silc and Mutoh, as a whole, for use in properly allocating the power in electrical devices so as to efficiently use electricity without unnecessarily wasting energy.

Claims 53, 64 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) and Silc (6,738,089) in view of Yasui (6,731,332).

Regarding claims 53, 64 and 71, Pala discloses further comprising:

display data generating means for generating display data (col.2, ln.13-16, fig.1, element 24); and display data transmitting means for transmitting the display data (col.2, ln.13-16, fig.1-2, note display data is transmitted to display 24).

Pala and Silc do not specifically disclose feature extracting means for extracting a feature of an object based on the image captured by said image capturing means; and event determining means for obtaining the feature extracted by said feature extracting means so as to determine whether an event has occurred based on determination parameters. However, Yasui teaches image feature extraction means and event determination means (fig.13 and col.8, ln.16-34; image data captured by image capturing means 21 then goes to object extraction 22 for extracting features of the image data, and col.8, ln.41-57, the event is then determined as to when the image feature is extracted relative to the order of the group of image frames). Therefore, it would have been obvious to one of ordinary skill in the art to take the teachings of Pala, Silc and Yasui as a whole for capturing as much data as possible of the crime scene at hand so as to properly convey the vicinity of the situation (Yasui col.2, ln.31-37).

7. Claims 54, 65 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) and Silc (6,738,089) in view of Ozaki (6,025,872).

Regarding claims 54, 65 and 72, Pala discloses the determining means for determining whether the vehicle is in a first usage mode in which the vehicle is reversed or in a second usage mode in which the vehicle is not used (col.3, ln.36-38; Pala discloses the indication of the transmission gear mode, particularly when the car is in reverse, thus the mode is in the first mode, if the car is not in reverse, then the vehicle is in the second mode).

Pala and Silc do not specifically disclose direction control means for controlling the image-capturing direction of said image-capturing means when the vehicle is in a first usage mode, and for controlling the image-capturing direction to be a direction set by said direction setting means when the vehicle is in a second usage mode, and wherein, when said detection means detects a moving object, said direction control means controls the image-capturing direction of said image-capturing means so that the object is traced. However, Ozaki teaches that the monitor or screen is activated when the vehicle is shifted into reverse (col.16, lines 21-41; note that element 21 senses the change of speed in the back gear or when the vehicle is shifted into reverse, and then element 20 will facilitate the automatization of the peripheral monitor control to activate the screen so that the video data obtained from the cameras can be seen by the driver). Therefore, it would have been obvious to one of ordinary skill in the art to take the teachings of Pala, Silc and Ozaki as a whole for permitting the view of the vehicle's rear side so as to allow the driver to cautiously, carefully, and properly maneuver the vehicle without crashing into other objects and people (Ozaki col.8, ln.5-7).

Claims 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pala (6,304,173) and Silc (6,738,089) in view of Peterson (6,037,977) and Ozaki (6,025,872).

Regarding claim 55, Pala discloses the determining means for determining whether the vehicle is in a first usage mode in which the vehicle is reversed or in a second usage mode in which the vehicle is not used (col.3, ln.36-38; Pala discloses the indication of the transmission gear mode, particularly when the car is in reverse, thus the mode is in the first mode, if the car is not in reverse, then the vehicle is in the second mode).

Pala, Silc and Peterson do not specifically disclose direction control means to be a direction in the back of the vehicle when the vehicle is in the first usage mode, and for controlling the image-capturing direction to be a direction set by said direction setting means when the vehicle is in the second usage mode. However, Ozaki teaches that the monitor or screen is activated when the vehicle is shifted into reverse (col.16, lines 21-41; note that element 21 senses the change of speed in the back gear or when the vehicle is shifted into reverse, and then element 20 will facilitate the automatization of the peripheral monitor control to activate the screen so that the video data obtained from the cameras can be seen by the driver). Therefore, it would have been obvious to one of ordinary skill in the art to take the teachings of Pala, Silc, Peterson and Ozaki as a whole for permitting the view of the vehicle’s rear side so as to allow the driver to cautiously, carefully, and properly maneuver the vehicle without crashing into other objects and people (Ozaki col.8, ln.5-7).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Allen Wong/
Primary Examiner, Art Unit 2621

/Allen Wong/
Primary Examiner
Art Unit 2621

AW
5/14/08